

Regional Planning Commission Transmittal Checklist

Hearing Date
3/4/09

Agenda Item Number
7

Project Number: R2007-00191-(1)
Case(s): RCUP 2007-00191-(1)
Contact Person: Andrew Svitek

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By: 



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6435
PROJECT NUMBER R2007-02962
CONDITIONAL USE PERMIT NO. 2007-00191

PUBLIC HEARING DATE March 4, 2009	AGENDA ITEM
RPC CONSENT DATE	CONTINUE TO

APPLICANT Raul Luis (Chalio Mexican Restaurant)	OWNER Lun Yun Yu	REPRESENTATIVE Raul Luis
ENTITLEMENT REQUEST Conditional Use Permit to authorize the sale of alcoholic beverages (beer and wine) for on-site consumption in conjunction with the operation of an existing restaurant located in the C-3 (Unlimited Commercial) Zone and to allow the construction of storefront improvements.		
PROJECT DESCRIPTION There is an existing one-story commercial building measuring 3,016 square feet that is currently operating as a restaurant. There are 20 existing parking spaces.		
LOCATION/ADDRESS 760 S. Atlantic Blvd, Los Angeles, CA 90022		
SITE DESCRIPTION The site consists of two parcels with a total area of 11,081 square feet. The western parcel measures approximately 42 feet (Atlantic Ave frontage) by 125 feet (depth) and has a total area of 5,250 square feet. This parcel contains the restaurant building and 3 parking spaces and is in the C-3 (Unlimited Commercial) Zone. The eastern parcel measures approximately 45 feet (Amalia Ave frontage) by 122 feet (depth) and has a total area of 5,490 square feet. This parcel contains 17 parking spaces and is in the R-3-P (Limited Multiple Residence - Parking) Zone.		
ACCESS Atlantic Blvd (from the west), Amalia Ave (from the east), alley along the southern boundary, alley between the two parcels (from the north).	ZONED DISTRICT Eastside Unit Number 2	
ASSESSORS PARCEL NUMBER 6341-040-033	COMMUNITY East Los Angeles	
SIZE 11,081 sq ft	COMMUNITY STANDARDS DISTRICT East Los Angeles CSD	
	EXISTING LAND USE	EXISTING ZONING
Project Site	Restaurant and Parking Lot	C-3 (Unlimited Commercial) Zone R-3-P (Limited Multiple Residence – Parking) Zone
North	Retail Stores	C-3 (Unlimited Commercial) Zone R-3-P (Limited Multiple Residence – Parking) Zone
East	Parking Lot	R-3-P (Limited Multiple Residence – Parking) Zone
South	Restaurant and Parking Lot	C-3 (Unlimited Commercial) Zone
West	Retail Stores	C-3 (Unlimited Commercial) Zone
GENERAL PLAN East Los Angeles Community Plan	DESIGNATION MC (Major Commercial) MD (Medium Density Residential)	MAXIMUM DENSITY MC (90% lot coverage) MD (30 dwelling units/acre)
ENVIRONMENTAL DETERMINATION Class 1 Categorical Exemption – Existing Facilities		

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

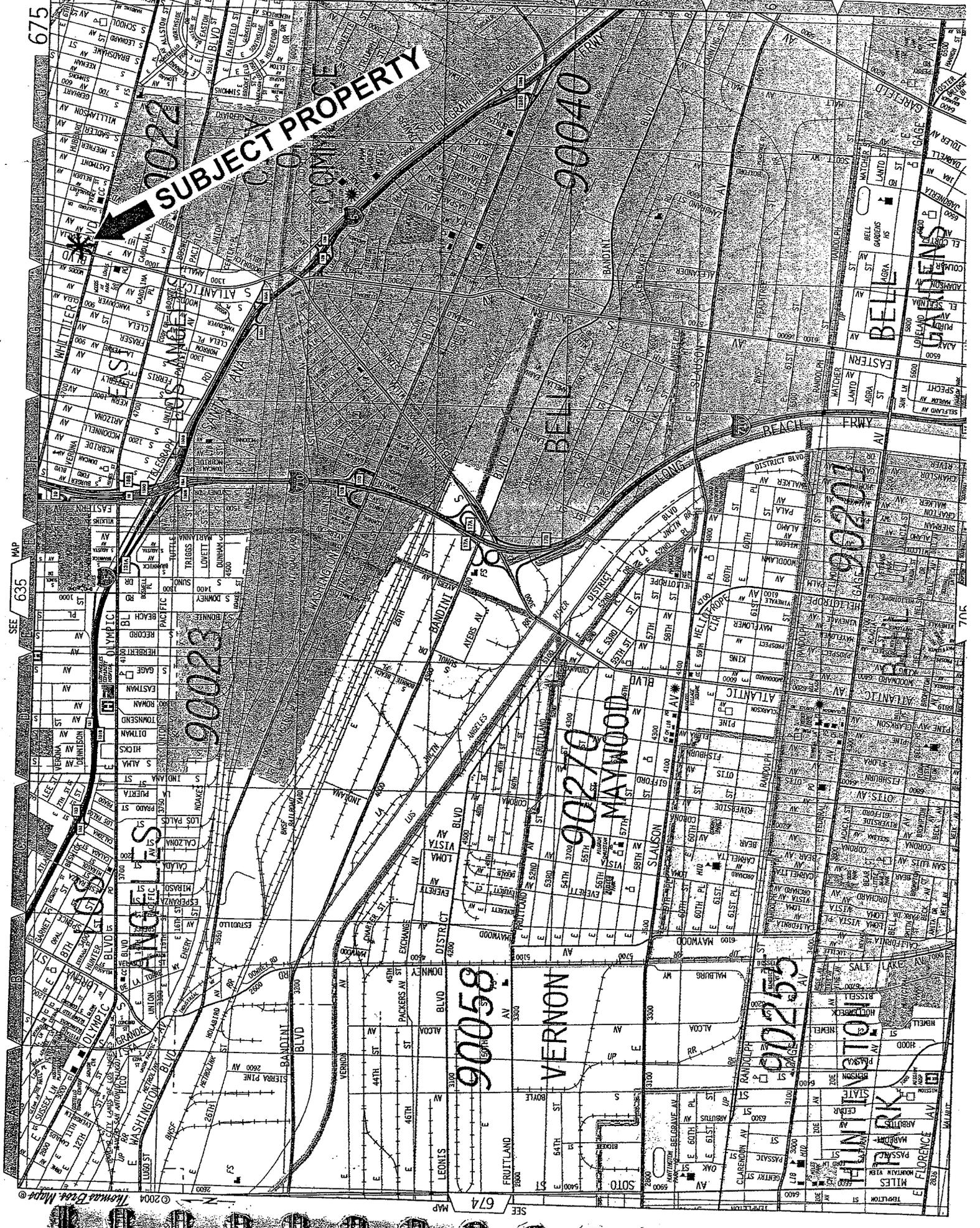
TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON:		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor

675

SUBJECT PROPERTY



SEE 635 MAP

SEE 674 MAP

STAFF ANALYSIS
PROJECT NUMBER 2007-02962-(1)
CONDITIONAL USE PERMIT 200700191-(1)

ENTITLEMENT REQUEST

The applicant is requesting a Conditional Use Permit to authorize the sale of alcoholic beverages (beer and wine) for on-site consumption in conjunction with the operation of an existing 3,016 square foot restaurant located in the C-3 (Unlimited Commercial) Zone and to allow the construction of storefront improvements including demolition of existing monument sign and fountain and the installation of new awnings and sign.

LOCATION

The subject property is located at 760 S. Atlantic Blvd in East Los Angeles, in the Eastside Unit No 2 Zoned District.

EXISTING ZONING

The subject property is located in the C-3 and R-3 P Zones, and within the East Los Angeles Community Standards District ("CSD").

Surrounding zoning consists of:

North: C-3 (Unlimited Commercial)

South: C-3 (Unlimited Commercial)

East: R-3-(P) (Limited Multiple Residence-Parking)

West: C-3 (Unlimited Commercial)

GENERAL PLAN /COMMUNITY PLAN

This application can be found consistent with the Los Angeles County General Plan, including the specific land use and economic development policies of the East Los Angeles Community Plan.

Land Use Designation

The western parcel of the subject property is designated as Major Commercial ("MC") on the land use map of the East Los Angeles Community Plan. This designation is for areas containing mixtures of small and large businesses in major areas. These areas are oriented toward the greater East Los Angeles area. The proposed continued use can be found consistent with this designation.

The eastern parcel of the subject property is designated as Medium Density ("MD") Residential (30 du/ac) on the land use map of the East Los Angeles Community Plan. This designation is for areas suited for apartments and other multi-family housing, generally not exceeding three stories in height. The maximum density is 30 dwelling units per net acre. The proposed continued use can be found consistent with this designation.

Land Use Policies

Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors (Whittier, Olympic and Atlantic Boulevards) where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development.

The subject property is in a commercial area on Atlantic Blvd in close proximity to the intersection with Whittier Blvd. The Land Use Map designates the western parcel containing the restaurant building as Major Commercial and the eastern parcel containing the parking lot as Medium Density Residential. The transportation and municipal services along Whittier Blvd can support the proposed continued use.

Economic Development Policies

Promote coordination and development of existing businesses and encourage upgrading to improve their economic status.

The subject property is being upgraded through a storefront renovation which will improve the existing business.

SITE PLAN DESCRIPTION

The site consists of two parcels with a total area of 11,081 square feet. The western parcel measures approximately 42 feet (Atlantic Ave frontage) by 125 feet (depth) and has a total area of 5,250 square feet. This parcel contains the restaurant building and 3 parking spaces and is in the C-3 (Unlimited Commercial) Zone. The eastern parcel measures approximately 45 feet (Amalia Ave frontage) by 122 feet (depth) and has a total area of 5,490 square feet. This parcel contains 17 parking spaces and is in the R-3-P (Limited Multiple Residence - Parking) Zone.

ENVIRONMENTAL DETERMINATION

The application qualifies for a Class 1 Categorical Exemption for Existing Facilities as the application is for a negligible expansion of an existing use.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PREVIOUS CASES/ZONING HISTORY

Zoning Exception Case Number 7593 was approved on March 16, 1965 for a restaurant building covering more than 50% of the lot area and to provide for less than the required parking for the proposed use with encroachments into setbacks.

Conditional Use Permit Case Number 95-139 to approve the sale of alcohol beverages expired on February 6, 2006.

STAFF EVALUATION

The previous Conditional Use Permit 95-139 expired on February 6, 2006. The applicant is reapplying for this conditional use permit.

The subject property was subject to Zoning Enforcement Case Number 97-0014499. The zoning violations consisted of (1) expiration of the previous alcohol sales permit; (2) unpermitted signage; (3) failure to timely remove graffiti; (4) increasing the floor area with the addition of tables and seating; (5) removal of 3 of the 20 parking spaces. The applicant has cured all zoning violations on the property.

The applicant has an active type 41 alcohol license from the California Department of Alcoholic Beverage Control for on-site sale of beer and wine at a bona fide restaurant. The license was granted on May 26, 1998 and there are no violations on record.

The applicant is requesting hours of operation from 7am to 12pm.

Sensitive Uses Within 600 Feet

There are two sensitive uses within 600 feet of the subject property (1 school and 1 church):

- The Stern Math and Science School is located at 5156 Whittier Blvd. The school is approximately 550 feet from the subject property and the properties are separated by the intersection of Whittier and Atlantic Blvd.
- The Iglesia Evangelica is located at 930 S. Antlantic Blvd which is approximately 500 feet to the south of the subject property. It is also on the eastern side of Atlantic Blvd but across Whittier Blvd.

Staff has not received letters of opposition or concern from either of these establishments. Properties to the north and west are developed with commercial stores. To the east of the subject property is a parking lot. The property immediately to the south is developed with an existing restaurant. Single-family residences to the north of the eastern parcel containing the parking lot are buffered by a masonry wall. There are no parks or schools within a 600-foot radius of the subject property.

No Undue Concentration

The subject property is in Census Tract 5317.01 which allows for 5 licenses and contains 3 existing licenses. There is no undue concentration of licenses.

High crime area

The subject property is in Crime Reporting District 286 which is classified as a high crime reporting district. Staff is of the opinion that the continued proposed use is a bona

fide restaurant which can be conditioned to minimize any negative effects on the surrounding community from the sale of alcoholic beverages.

Zoning Ordinance and Development Standards Compliance

The subject property is located on two parcels, the western parcel is zoned C-3 (Unlimited Commercial) and the eastern parcel is zoned R-3-P (Limited Multiple Residence). The subject property is also within the East Los Angeles CSD.

Western Parcel (C-3 Zone Development Standards)

The western parcel containing the restaurant building is subject to the C-3 (Unlimited Commercial) development standards.

A. Lot Coverage

That not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area.

The eastern parcel measures approximately 5,312 square feet. The restaurant building measures approximately 2,950 square feet. The building coverage is approximately 56% of the total parcel and this standard is satisfied. The County approved Zoning Exception Case Number 7593 in 1965 to the lot coverage requirement, which at that time permitted no more than 50% lot coverage.

B. Parking

That there be parking facilities as required by Part 11 of Chapter 22.52. Code Section 22.52.1110 states that "every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces (1) for each three persons based on the occupant load as determined by the county engineer"

The subject property has an occupancy load of 102 persons and this code section would require 34 parking spaces. In 1965 the County approved the existing restaurant use with 20 parking spaces in Zoning Exception Case 7593. The subject property contains 20 parking spaces and the applicant has not increased the occupancy load.

C. Outside Display

Except for the following uses, all display in Zone C-3 shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit:

The subject property does not have any outside displays and the applicant is not proposing any outside displays on the subject property.

D. Outside Storage

Outside storage is permitted on the rear of a lot or parcel of land in Zone C-3 when such storage is strictly incidental to the permitted use existing in a building on the front portion of the same lot or parcel of land, and provided no storage is higher than the enclosure surrounding it nor nearer than 50 feet to the front property line.

The subject property does not contain and the applicant is not proposing any outside storage.

Eastern Parcel (R-3-P Limited Multiple Residence – Parking) Zone Development Standards

The eastern parcel containing the parking lot is subject to the R-3 (Limited Multiple Residence) Zone use and the ()-P (Parking Overlay) Zone (Limited Multiple Residence – Parking) development standards.

The subject property with a parking lot in the R-3 zone complies with the development standards for the R-3 Zone including height limitations (Section 22.20.300), dwelling unit density (Section 22.20.310) and yard requirements (Section 22.20.220) and lot area (Section 22.20.240).

Section 22.40.170 states that “premises in Zone ()-P shall be subject to the following development standards: A. When developed with parking as the principal use, as provided in Section 22.40.130, property in Zone ()-P shall be subject to the provisions of Section 22.52.1060.”:

A. Paving

The subject property is properly paved.

B. Marking of Spaces.

The subject property has parking spaces marked.

C. Wheel Stops

Wheel stops shall be provided for parking lots with a slope of more than three percent, except that the installation of wheel stops is optional for parking stalls oriented at right angles to the direction of slope. Wheel stops are also required on the perimeter of parking lots which are adjacent to walls, fences or pedestrian walkways.

The subject property does not have wheel stops.

D. Side Yard Walls

Where parking facilities are located on land adjoining a residential or agricultural zone, a solid masonry wall not less than five feet nor more than six feet in height shall be established along the side and rear lot lines adjoining said zones

The subject property contains a solid masonry wall between 5 and 6 feet in height.

E. Front Yard Walls

Where parking facilities are located adjacent to the front lot lines, a solid masonry wall not less than 30 inches nor more than 42 inches in height, shall be established parallel to and not nearer than five feet to the front lot line

The property frontage of the parking lot along to Amelia Street can be classified as a front yard. The subject property contains a solid masonry wall not less than 30 inches nor more than 42 inches in height. However, it is not more than 5 feet from the front lot line.

F. Landscaping

Where a wall is required to be set back from a lot line, the area between said lot line and such wall shall be landscaped with a lawn, shrubbery, trees and/or flowers, and shall be continuously maintained in good condition.

The subject property does not have adequate landscaping.

G. Slope

Parking lots shall not have a slope exceeding five percent, except for access ramps or driveways which shall not exceed a slope of 20 percent.

The parking lot is flat.

H. Design

Parking lots shall be designed so as to preclude the backing of vehicles over a sidewalk, public street, alley or highway. Parked vehicles shall not encroach on nor extend over any sidewalk. Parking spaces shall be designed and striped as shown in Appendix 3 of this Title 22.

The parking lot is designed properly and does not encourage backing over a sidewalk. The parking lot design does require backing across an alley, however the alley terminates in the parking lot and this should not cause conflict with any traffic in the alley.

Staff finds that the parking lot as an existing structure is in compliance based on the previous zoning exception case number 7593 approval in 1965. The parking lot design substantially complies with most of the parking lot standards and the existing structure was in compliance at the time of approval.

East Los Angeles Community Standards District

The East Los Angeles CSD is established to provide a means of implementing special development standards for the unincorporated community of East Los Angeles and to ensure that the goals and policies of the adopted East Los Angeles Community Plan are accomplished in a manner which protects the health, safety and general welfare of the community (code section 22.56.114)

Fences

The subject property is in compliance with the fence standards of the East Los Angeles CSD.

Signage

The subject property is in compliance with the signage standards of the East Los Angeles CSD.

Landscaping

The subject property is an existing structure with no additional space for expansion and can be found to be in substantial compliance with the landscaping standards of the East Los Angeles CSD.

Neighborhood Impact/Land Use Compatibility

The surrounding uses are compatible with the proposed continued use of the property as a restaurant with alcoholic beverage sales.

To the north of the subject property along Atlantic Boulevard are retail stores.

To the east of the subject property is a parking lot.

To the south of the subject property is a restaurant and a parking lot.

To the west across Atlantic Boulevard are retail stores.

The subject property is in a predominantly commercial area.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.195 of the Los Angeles County Code:

In addition to the findings required pursuant to subsection A of Section 22.56.090, the planning agency shall approve an application for a conditional use permit for alcoholic beverage sales where the information submitted by the applicant, or presented at public hearing, substantiates the following findings:

1. The requested use at the proposed location will not adversely affect the use of

a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and

2. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and

3. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and

4. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

5. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood. (Ord. 92-0097 § 4, 1992.)

The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The applicant is required to obtain appropriate permits from the Los Angeles County Department of Public Works, Building & Safety Division. Los Angeles County Sherriff's Department has provided a statement in support of the approval of this application.

PUBLIC COMMENTS

Staff has not received any public comments in favor or in opposition to this application.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **Approval** of Project Number 2007-02962 subject to the attached conditions.

SUGGESTED APPROVAL MOTIONS

I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT 200700191-(1) PROJECT R2008-02962-(1) AND ADOPT THE FINDINGS FOR APPROVAL.

Prepared by Andrew Svitek, Regional Planning Assistant II
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits Section II

Attachments:

Draft Conditions of Approval
Draft Approval Findings
Applicant's Burden of Proof statement
Site Photographs
Site Plans
Land Use Map

**PROJECT R2007-02962-(1)
CONDITIONAL USE PERMIT CASE NO. 200700191-(1)**

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: March 4, 2009

SYNOPSIS:

The applicant, Raul Luis (Chalio Restaurant) is requesting a Conditional Use Permit to authorize the sale of alcoholic beverages (beer and wine) for on-site consumption in conjunction with the operation of an existing restaurant located in the C-3 (Unlimited Commercial) Zone and to allow the construction of storefront improvements. There is no undue concentration of alcoholic beverage sales. The subject property is located at 760 S. Atlantic Blvd in the Eastside Unit No. 2 Zoned District.

PROCEEDINGS BEFORE THE COMMISSION

Findings

1. The applicant, Raul Luis (Chalio Restaurant), is requesting a conditional use permit to authorize the sale of beer and wine for on-site consumption in conjunction with the operation of a bona fide restaurant in the C-3 (Unlimited Commercial) Zone and within the East Los Angeles Community Standards District.
2. The subject property is located at 760 S. Atlantic Blvd within the Eastside Unit Number 2 Zoned District.
3. The subject property contains an existing one-story commercial building measuring 3,016 square feet that is currently operating as a restaurant with 20 parking spaces.
4. The store will employ approximately 12 employees, working in two shifts, with a maximum number of 6 employees per shift. Hours of operation are from 7:00 a.m. to 9 p.m., daily.
5. Pursuant to Section 22.28.210 of the Los Angeles County Code, the applicant is requesting a Conditional Use Permit to reauthorize the sale of alcoholic beverages for on-site consumption at an existing restaurant.
6. The subject property consists of two parcels, the western parcel is zoned C-3 (Unlimited Commercial) and the eastern parcel is zoned R-3-(P) (Limited Multiple Residence – Parking). Pursuant to Section 22.28.210 of the Los Angeles County Code, premises in Zone C-3 may be used for the sale of alcoholic beverages, for

either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit.

7. Surrounding properties are zoned as follows:
North: C-3 (Unlimited Commercial)
South: C-3 (Unlimited Commercial)
East: R-3-(P) (Limited Multiple Residence – Parking)
West: R-3-(P) (Limited Multiple Residence – Parking)
8. Land uses within 500 feet of the subject property consist of the following:
North: commercial stores
East: single-family and multiple residences, parking lot
South: commercial stores
West: commercial stores
9. The East Los Angeles Standards District (“CSD”) is established to provide a means of implementing special development standards for the unincorporated community of East Los Angeles. The East Los Angeles Community Standards District is necessary to ensure that the goals and policies of the adopted East Los Angeles Community Plan are accomplished in a manner which protects the health, safety and general welfare of the community. All construction for this project was approved by Zone Exception Case 7593. No new construction is proposed as part of this request. The project complies with the CSD.
10. The western parcel of the subject property is designated as Major Commercial (“MC”) on the land use map of the East Los Angeles Community Plan. This designation is for areas containing mixtures of small and large businesses in major areas. These areas are oriented toward the greater East Los Angeles area. The proposed continued use can be found consistent with this designation.
11. The eastern parcel of the subject property is designated as Medium Density (“MD”) Residential (30 du/ac) on the land use map of the East Los Angeles Community Plan. This designation is for areas suited for apartments and other multi-family housing, generally not exceeding three stories in height. The maximum density is 30 dwelling units per net acre. The proposed continued use can be found consistent with this designation.
12. The following policies of the Plan are applicable to the applicant’s proposal.
 - Land Use Policy: Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors (Whittier, Olympic and Atlantic Boulevards) where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development.

- Economic Development Policy - Promote coordination and development of existing businesses and encourage upgrading to improve their economic status.
11. The existing restaurant with the proposed continued sales of alcoholic beverages is found compatible with the East Los Angeles Community Plan. This continued use addresses several of the Plan policies and would also assist in achieving the economic development goals for the community.
 12. The site plan depicts the 2,950 square foot one-story restaurant building, 20 parking spaces, one of which is an accessible parking space. Access to the site is shown via Atlantic Boulevard to the west and Amalia Avenue to the east and by an alley from the north.
 13. Applicable zoning standards for the restaurant use of the commercial building, including number of parking stalls and landscaping requirements, were addressed through Zoning Exception Case No 7593 which was approved on February 8, 1965 and which permitted the construction of the commercial building.
 14. There are two sensitive uses within 600 feet of the subject property (1 school and 1 church).
 15. The Stern Math and Science School is located at 5156 Whittier Blvd. The school is approximately 550 feet from the subject property and the properties are separated by the intersection of Whittier and Atlantic Blvd.
 16. The Iglesia Evangelica is located at 930 S. Antlantic Blvd which is approximately 500 feet to the south of the subject property. It is also on the eastern side of Atlantic Blvd but across Whittier Blvd.
 17. Properties to the north and west are developed with commercial stores. To the east of the subject property is a parking lot. The property immediately to the south is developed with an existing restaurant. Single-family residences to the north of the eastern parcel containing the parking lot are buffered by a masonry wall. There are no parks or schools within a 600-foot radius of the subject property.
 18. Within 500 feet of the site, there is one off-sale beer and wine license at a smaller neighborhood market. There are no on-sale beer and wine licenses within 500 feet of the site. The commercial area surrounding the subject property is developed with small commercial stores. The storefront improvement and continued operation of the existing restaurant with alcoholic beverage sales contribute to the enhancement of the general area.

19. The subject property is not located in an area with undue concentration of alcohol licenses.
20. Although subject property is located in a high crime reporting district, the Commission finds that the subject establishment can be maintained with adequate conditions such that it will provide a benefit to the community and that it will encourage additional physical improvements and economic investments in East Los Angeles.
21. On January 20, 2009, public hearing notices were mailed out to adjoining property owners within 500 feet of the subject property and private persons identified on the Department's courtesy mailing list for projects in East Los Angeles. Advertisements were published in the East LA Tribune and La Opinion in January 2009. Case-related material, including the hearing notice, factual, and burden of proof statements were sent on January 20 to the East Los Angeles Library, 4837 E. Third St., Los Angeles, CA 90022.
22. The Department of Regional Planning has determined that this project qualifies for a Class I Categorical Exemption pursuant to CEQA guidelines.
23. The Commission finds that, with appropriate restrictions on operation as set forth in the conditions of approval, the proposed use will be compatible with surrounding land uses.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Zoning Ordinance, or as is otherwise required in order to integrate the proposed use with the uses in the surrounding area;
- D. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius;

- E. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area;
- F. The requested use at the proposed location will result in an undue concentration of similar premises, but will serve as a public convenience and necessity;
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community;
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood; and
- I. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit with concurrent site plan approval as set forth in Sections 22.56.090 and 22.56.195, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. **2007-00191-(1)** is **APPROVED**, subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MM: AS

2/19/2009

**PROJECT R2007-02962-(1)
CONDITIONAL USE PERMIT CASE NO. 200700191-(1)**

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

REGIONAL PLANNING COMMISSION HEARING DATE: March 4, 2009

SYNOPSIS:

The applicant, Raul Luis (Chalio Restaurant) is requesting a Conditional Use Permit to authorize the sale of alcoholic beverages (beer and wine) for on-site consumption in conjunction with the operation of an existing restaurant located in the C-3 (Unlimited Commercial) Zone and to allow the construction of storefront improvements. There is no undue concentration of alcoholic beverage sales. The subject property is located at 760 S. Atlantic Blvd in the Eastside Unit No. 2 Zoned District.

PROCEEDINGS BEFORE THE COMMISSION

Findings

1. The applicant, Raul Luis (Chalio Restaurant), is requesting a conditional use permit to authorize the sale of beer and wine for on-site consumption in conjunction with the operation of a bona fide restaurant in the C-3 (Unlimited Commercial) Zone and within the East Los Angeles Community Standards District.
2. The subject property is located at 760 S. Atlantic Blvd within the Eastside Unit Number 2 Zoned District.
3. The subject property contains an existing one-story commercial building measuring 3,016 square feet that is currently operating as a restaurant with 20 parking spaces.
4. The store will employ approximately 12 employees, working in two shifts, with a maximum number of 6 employees per shift. Hours of operation are from 7:00 a.m. to 9 p.m., daily.
5. Pursuant to Section 22.28.210 of the Los Angeles County Code, the applicant is requesting a Conditional Use Permit to reauthorize the sale of alcoholic beverages for on-site consumption at an existing restaurant.
6. The subject property consists of two parcels, the western parcel is zoned C-3 (Unlimited Commercial) and the eastern parcel is zoned R-3-(P) (Limited Multiple Residence – Parking). Pursuant to Section 22.28.210 of the Los Angeles County Code, premises in Zone C-3 may be used for the sale of alcoholic beverages, for

either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit.

7. Surrounding properties are zoned as follows:
North: C-3 (Unlimited Commercial)
South: C-3 (Unlimited Commercial)
East: R-3-(P) (Limited Multiple Residence – Parking)
West: R-3-(P) (Limited Multiple Residence – Parking)
8. Land uses within 500 feet of the subject property consist of the following:
North: commercial stores
East: single-family and multiple residences, parking lot
South: commercial stores
West: commercial stores
9. The East Los Angeles Standards District (“CSD”) is established to provide a means of implementing special development standards for the unincorporated community of East Los Angeles. The East Los Angeles Community Standards District is necessary to ensure that the goals and policies of the adopted East Los Angeles Community Plan are accomplished in a manner which protects the health, safety and general welfare of the community. All construction for this project was approved by Zone Exception Case 7593. No new construction is proposed as part of this request. The project complies with the CSD.
10. The western parcel of the subject property is designated as Major Commercial (“MC”) on the land use map of the East Los Angeles Community Plan. This designation is for areas containing mixtures of small and large businesses in major areas. These areas are oriented toward the greater East Los Angeles area. The proposed continued use can be found consistent with this designation.
11. The eastern parcel of the subject property is designated as Medium Density (“MD”) Residential (30 du/ac) on the land use map of the East Los Angeles Community Plan. This designation is for areas suited for apartments and other multi-family housing, generally not exceeding three stories in height. The maximum density is 30 dwelling units per net acre. The proposed continued use can be found consistent with this designation.
12. The following policies of the Plan are applicable to the applicant’s proposal.
 - Land Use Policy: Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors (Whittier, Olympic and Atlantic Boulevards) where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development.

- Economic Development Policy - Promote coordination and development of existing businesses and encourage upgrading to improve their economic status.
11. The existing restaurant with the proposed continued sales of alcoholic beverages is found compatible with the East Los Angeles Community Plan. This continued use addresses several of the Plan policies and would also assist in achieving the economic development goals for the community.
 12. The site plan depicts the 2,950 square foot one-story restaurant building, 20 parking spaces, one of which is an accessible parking space. Access to the site is shown via Atlantic Boulevard to the west and Amalia Avenue to the east and by an alley from the north.
 13. Applicable zoning standards for the restaurant use of the commercial building, including number of parking stalls and landscaping requirements, were addressed through Zoning Exception Case No 7593 which was approved on February 8, 1965 and which permitted the construction of the commercial building.
 14. There are two sensitive uses within 600 feet of the subject property (1 school and 1 church).
 15. The Stern Math and Science School is located at 5156 Whittier Blvd. The school is approximately 550 feet from the subject property and the properties are separated by the intersection of Whittier and Atlantic Blvd.
 16. The Iglesia Evangelica is located at 930 S. Antlantic Blvd which is approximately 500 feet to the south of the subject property. It is also on the eastern side of Atlantic Blvd but across Whittier Blvd.
 17. Properties to the north and west are developed with commercial stores. To the east of the subject property is a parking lot. The property immediately to the south is developed with an existing restaurant. Single-family residences to the north of the eastern parcel containing the parking lot are buffered by a masonry wall. There are no parks or schools within a 600-foot radius of the subject property.
 18. Within 500 feet of the site, there is one off-sale beer and wine license at a smaller neighborhood market. There are no on-sale beer and wine licenses within 500 feet of the site. The commercial area surrounding the subject property is developed with small commercial stores. The storefront improvement and continued operation of the existing restaurant with alcoholic beverage sales contribute to the enhancement of the general area.

19. The subject property is not located in an area with undue concentration of alcohol licenses.
20. Although subject property is located in a high crime reporting district, the Commission finds that the subject establishment can be maintained with adequate conditions such that it will provide a benefit to the community and that it will encourage additional physical improvements and economic investments in East Los Angeles.
21. On January 20, 2009, public hearing notices were mailed out to adjoining property owners within 500 feet of the subject property and private persons identified on the Department's courtesy mailing list for projects in East Los Angeles. Advertisements were published in the East LA Tribune and La Opinion in January 2009. Case-related material, including the hearing notice, factual, and burden of proof statements were sent on January 20 to the East Los Angeles Library, 4837 E. Third St., Los Angeles, CA 90022.
22. The Department of Regional Planning has determined that this project qualifies for a Class I Categorical Exemption pursuant to CEQA guidelines.
23. The Commission finds that, with appropriate restrictions on operation as set forth in the conditions of approval, the proposed use will be compatible with surrounding land uses.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Zoning Ordinance, or as is otherwise required in order to integrate the proposed use with the uses in the surrounding area;
- D. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius;

- E. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area;
- F. The requested use at the proposed location will result in an undue concentration of similar premises, but will serve as a public convenience and necessity;
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community;
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood; and
- I. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit with concurrent site plan approval as set forth in Sections 22.56.090 and 22.56.195, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. **2007-00191-(1)** is **APPROVED**, subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MM: AS

2/19/2009

This grant authorizes the operation and maintenance of an existing restaurant and the sales of beer and wine for on-site consumption as shown on the approved Exhibit "A", subject to the following conditions of approval.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required inspection and processing fees have been paid pursuant to Condition No. 9.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. This permit is deemed to be used when the permittee has secured an alcoholic beverage license from the California Department of Alcoholic Beverage Control. A one-year time extension may be requested, in writing with payment of the applicable fee, at least six months before the expiration date.
6. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
8. This grant shall terminate on **March 4, 2019**. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the market and service station without any beer or wine sales.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of **\$750.00** within the 90 days of the date of approval. These monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. These funds provide for) biennial inspections for the term of the grant, for a total of five (5) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant in accordance with Section 22.60.174 of the County Code, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance. The permittee shall pay or reimburse the County of all necessary fees associated with such hearing.
11. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director three (3) copies of a revised site plan, similar to that presented at the public hearing. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Health Services.
15. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water, sewage, and food storage and handling shall be provided to the satisfaction of said Department.
16. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.

17. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
18. The owner must complete and record a Covenant and Agreement to Hold Property as One Parcel showing that both parcels of the subject property be held in common ownership before the Exhibit A will be approved.
19. The sale of alcohol at the restaurant for on-site consumption is subject to the following conditions:
 - a. The hours of business operation shall be limited to 7:00 am to 11:00 pm daily. The sale of alcoholic beverages shall be permitted between 10:00 am and 11:00 pm, daily.
 - b. The permittee shall not advertise the sale of alcoholic beverage on the exterior walls or windows of the building or at any location of the subject property. No self-illuminating advertising for alcoholic beverages shall be located on the buildings or windows;
 - c. The sale of alcoholic beverages for consumption outside of the premises is prohibited;
 - d. Temporary signs or banners advertising alcoholic beverage "specials" or any similar promotions shall not be displayed on the exterior walls or fascia of the building;
 - e. There shall be no loitering permitted on the premises under the control of the permittee. Signage shall be posted on the premises prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood;
 - f. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of alcoholic beverages outside the subject resultant. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
 - g. All servers of alcoholic beverages shall be at least 21 years old;
 - j. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Inspector or

ABC investigator. The manager and all employees of the facility shall be knowledgeable of the conditions herein;

- k. All employees authorized to sell alcoholic beverages shall participate in the License Education on Alcohol and Drugs (LEAD) Program offered by the California Department of Alcoholic Beverage Control. This training shall be ongoing and all new employees shall be required to attend. The applicant shall display a certificate or plaque in the lobby of the establishment indicating its participation in this program;
- l. The permittee shall abide by all requirements, licensing or otherwise, established for the sale of alcoholic beverages by the State Department of Alcoholic Beverage Control; and
- m. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.

20. The subject property shall be further subject to the following conditions:

- a. The occupancy of the facility shall not exceed 102 persons;
- b. There shall be no outdoor sales, storage, or displays of merchandise;
- c. All requirements of the Zoning Ordinance and conditions of approval shall be complied with;
- d. All exterior lighting shall be hooded and directed downward. Such lighting shall be designed so as to prevent glare or direct illumination to any adjacent residential use;
- e. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area and shall be visible to the cashier;
- g. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control;

- h. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
- i. All signs and graphic displays must be confined to the façade surface of the building; such signage shall conform to the requirements of Part 10 Chapter 22.52 and Section 22.44.118 of the County Code.
- j. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage;
- k. The permittee shall not install or maintain video games, pool tables, or other similar games activities or equipment on site;

MM:AS
02/19/09

ADDENDUM BURDEN OF PROOF, ALCOHOLIC BEVERAGE SALES Section 22.56.195

1. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school park, playground or any similar use within a 600-foot radius;

~~There is a temporary High Charter School. Look at attachment Radius map for any schools within these boundaries~~

2. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area;

Location was licensed prior to this application
all parking areas surrounded by wall on North, fence to East and West, and alley to South.

3. That the requested use at the proposed location will not result in an undue concentration of similar premises, or that the public convenience or necessity for the proposed facility selling alcoholic beverages for off-site consumption outweighs the fact that it is located within a 500 foot of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment;

There is one other location in 600' Radius sell Alcohol liquor store. Look at 600' Radius for location with similar license

4. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community;

The Restaurant site has been licensed in past with C.O.P. for the sale of Beer and Wine.

5. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood;

The building is ~~not~~ conforming to similar buildings in area.

NOTE: additional sheets may be attached to answer the above statements.

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The sale of beer and wine is subsidiary to restaurant use. This restaurant has been part of the community for over 40 years.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed site and all improvements shall not cause a change in occupancy load.

- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 2. By other public or private service facilities as are required

The restaurant is located on Atlantic Blvd. near the corner of Whittier Blvd. These streets are full width major county highways.



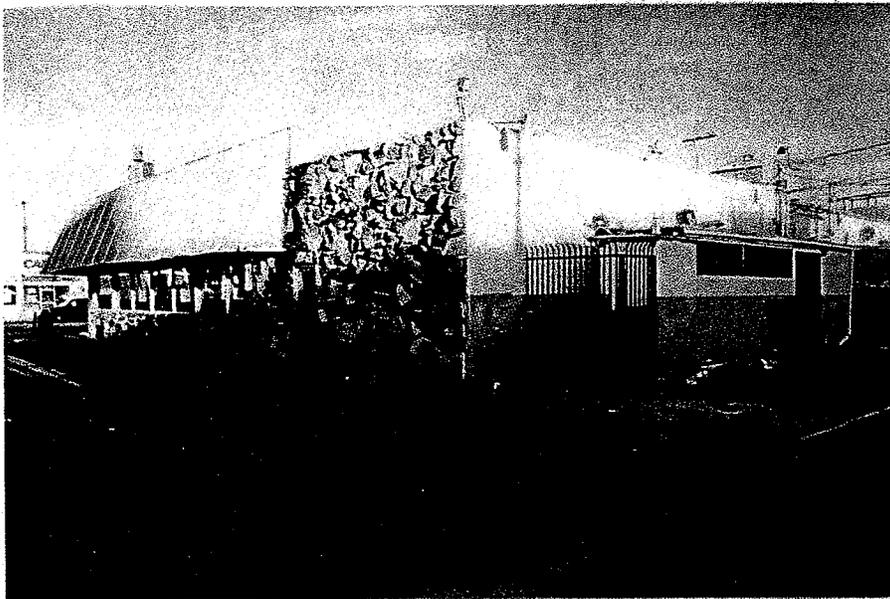
Front Restaurant

← N



Side view
Restaurant
Alley

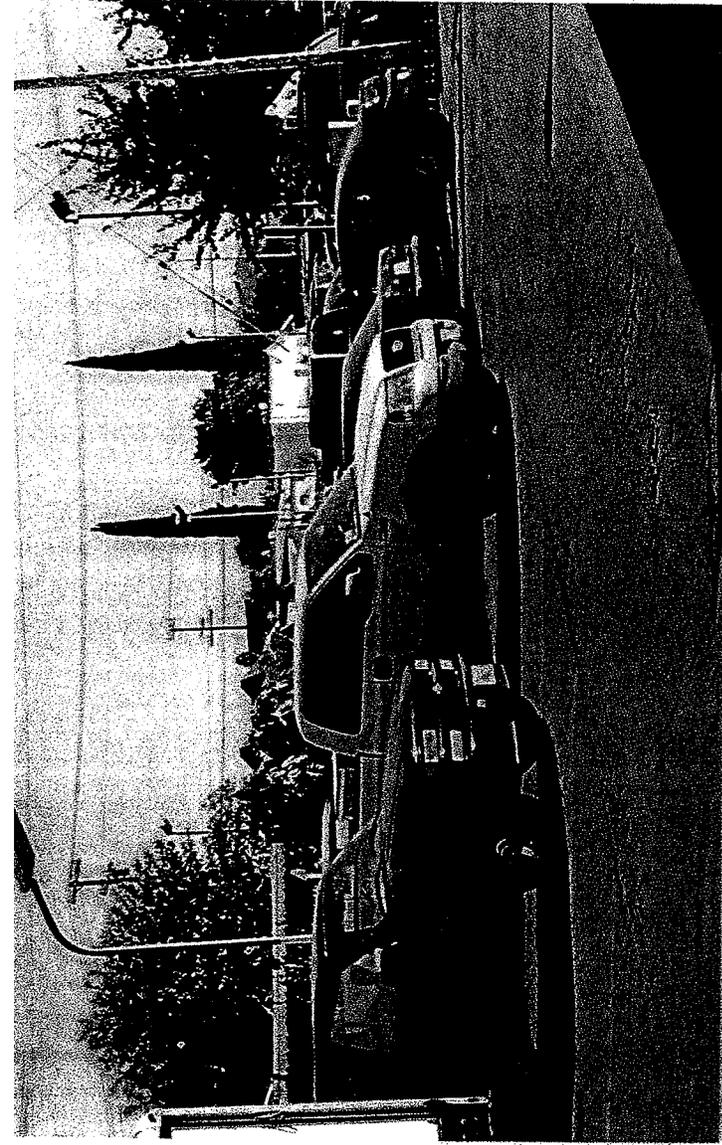
↑
N



Side View
Restaurant
Alley

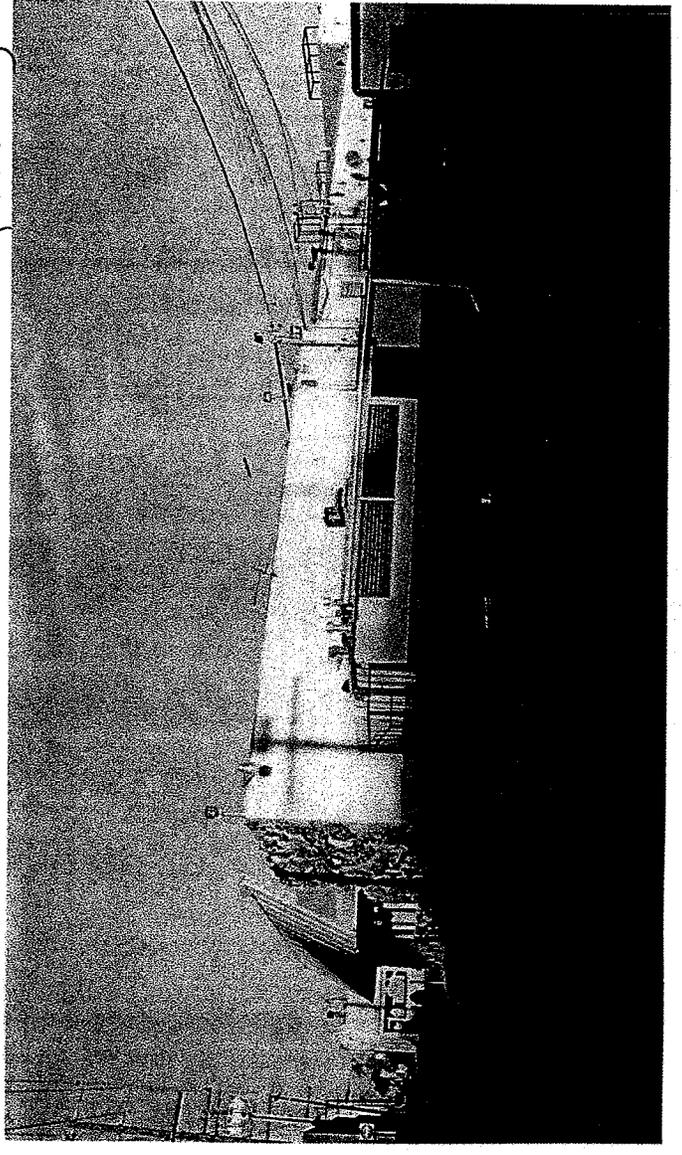
↑
N

R2007-02962

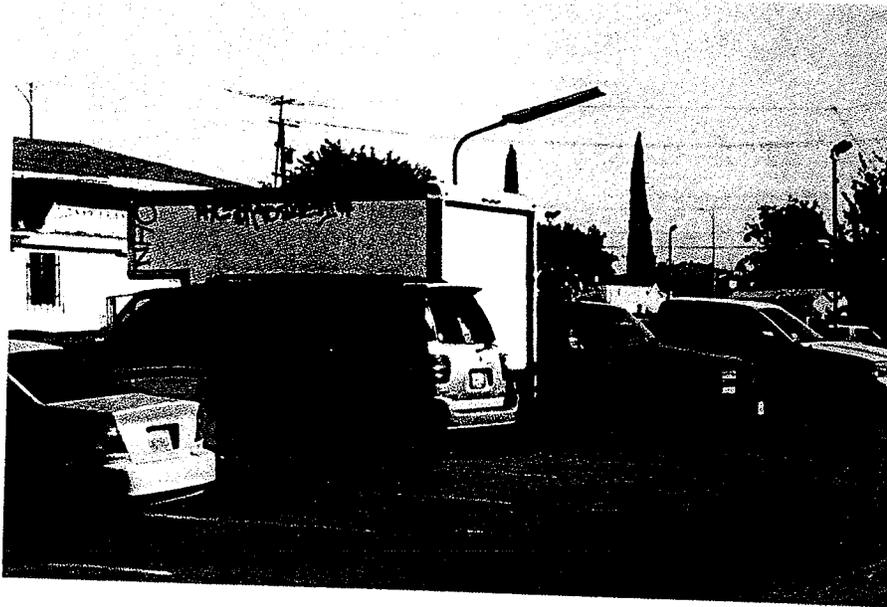


↑ Rear Parking ← N

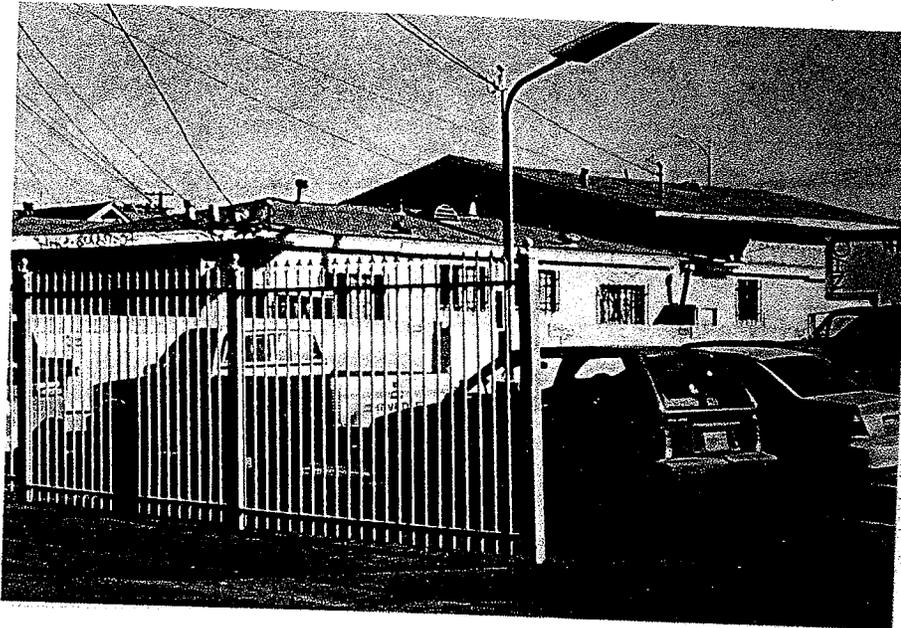
Rear Restaurant N → Parking



Restaurant
Parking Lot



← N



Parkinglot
← N
Cars Double
parked



Full view
Restaurant
parking

← N

Department of Alcoholic Beverage Control
Monrovia District Office
222 East Huntington Drive, Suite 114
Monrovia, CA 91016
Phone: 626-256-3241
Fax: 626-357-4173

State of California



FAX TRANSMISSION

Total Number of Pages 03 (including this cover sheet)

Original: To follow by regular mail Will not follow

To: PHILLIP ESTES

Firm/Office: LA Country Regional Planning

Fax: 213-626-0434 Date: 4/10/08 Time:

cc('s):

From: Gina Gamez Phone: 626-256-3241

Subject: 760 S ATLANTIC BLVD, LA

Comments: 95-139

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"Be Energy Efficient"

PREMISES ADDRESS:

760 S ATLANTIC BLVD

LA 90022-3214 (cont)

LICENSE TYPE: 44

1. CRIME REPORTING DISTRICT

FAXED
4/10/08

_____ Jurisdiction unable to provide statistical data.

Reporting District: 286

Total number of reporting districts: 338

Total number of offenses: 50,952

Average number of offenses per district: 150.74

120% of average number of offenses: 180.89

675-62

Total offenses in district: 666

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 5317.01

Population: 5546 / County Ratio 1:1175

Number of licenses allowed: 5

Number of existing licenses: 3

Undue concentration exists: Yes / No

Letter of public convenience or necessity required: Governing Body / Applicant

Three time publication required: Yes / No

[Signature]
Person Taking Application

Investigator
Over

Supervisor